

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Kevin Morris and Glenn R Semow, on )  
behalf of themselves and all )  
others similarly situated, )  
Plaintiff, )

v. )

BMW of North America, LLC and )  
Bridgestone Firestone North )  
American, LLC )  
Defendant. )

CASE NO. CV 07 02827 WHA

STIPULATION AND ORDER  
SELECTING ADR PROCESS

I. ADR PROCESS

The parties hereby stipulate to participate in the ADR process checked below (*select one court-connected or private process*).

**Court-connected ADR processes:**

☐ Arbitration

☐ Non-binding

☐ Binding

☐ Early Neutral Evaluation (ENE)

☐ Early Settlement Conference with a Magistrate Judge

☒ Mediation

**Private ADR process:**

☒ Type of Process: private mediation

Name, address and phone number of private provider:

JAMS

2 Embarcadero

San Francisco, CA

STIPULATION AND ORDER SELECTING ADR PROCESS

1 **II. TIMING FOR ADR PROCESS**

2 ☒ **Cases in ENE or Mediation (or similar private process):**

3 The parties shall conduct the ADR session by see note below (no later than  
4 90 days after the date set for the first Case Management Conference unless otherwise  
5 ordered under General Order 36, § VII.D.)

6 ☐ **Cases in Arbitration (court-connected or private):**

7 The parties shall conduct the Arbitration by \_\_\_\_\_ (no later than 135 days  
8 after the date set for the first Case Management Conference unless otherwise ordered --  
9 the clerk will send the parties a list of arbitrators for ranking within 10 days after the  
10 Case Management Conference.)

11 **III. OTHER STIPULATIONS** (e.g. regarding additional disclosures and/or discovery  
12 before the ADR session, issues to be addressed in ADR session, etc.)

13 The parties propose that mediation be conducted after the parties have  
14 completed briefing on the class certification motion. The parties estimate  
15 this would put the date for mediation in mid-June 2008. However, the  
16 parties agree to confer about an earlier date once each side believes  
17 sufficient discovery has been completed to allow for a meaningful  
18 mediation.

19 Dated: August 16, 2007

Dated: August 16, 2007

20 /s/ Mark F. Anderson

21 Plaintiff

22 Mark F. Anderson, Atty for Pls

23 /s/ Jon Kardassakis

24 Defendant

25 Jon P. Kardassakis, Atty for BMW

26 IT IS SO ORDERED.

27 Dated:

28 \_\_\_\_\_  
United States District Judge